



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/779,759

02/18/2004

Markus Miettinen

060279.00082

9776

32294

7590

06/30/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.
8000 TOWERS CRESCENT DRIVE
14TH FLOOR
VIENNA, VA 22182-6212

EXAMINER

KIM, PAUL

ART UNIT

PAPER NUMBER

2161

MAIL DATE

DELIVERY MODE

06/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/779,759	Applicant(s) MIETTINEN ET AL.	
	Examiner PAUL KIM	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 12 March 2008.
2. Claims 1-44 are pending and present for examination. Claims 1, 8, 15, 17, 24, 31, 33, and 39 are in independent form.

Response to Amendment

3. Claims 1, 8, and 17 have been amended.
4. Claims 33-44 have been added.
5. No claims have been cancelled.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
7. As per the rejections under 35 U.S.C. 101, applicant's amendment has been acknowledged. Accordingly, the rejections have been withdrawn.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2161

9. **Claims 1, 5, 6, 8, 12, 13, 15, 24, 28, 29, 31, 33, 37, 39, 42, and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Owen et al (U.S. Patent No. 6,968,349, hereinafter referred to as OWEN), filed on 16 May 2002, published on 20 November 2003, and issued on 22 November 2005.

10. **As per independent claim 1**, OWEN discloses:

A method, comprising:

receiving a second data record to be stored on a single database, wherein the database comprises a first data record {See OWEN, C8:L6-24, wherein this reads over "the minimized data journal entry is read"};

storing the second data record on the database, wherein the second data record is stored consecutive to the first data record {See OWEN, C8:L38-54, wherein this reads over "the validation value comprises a checksum that is computed using both the data in the old record and the metadata for the old record"};

retrieving a first integrity checksum stored with the first data record previous to the second data record {See OWEN, C8:L38-54, wherein this reads over "the validation value comprises a checksum that is computed using both the data in the old record and the metadata for the old record"; and C8:L55-C9:L10, wherein this reads over "[t]he validation value of the preferred embodiments is a value that relates to the state of the record that corresponds to the journal entry just before applying the changes reflected in the journal entry"};

computing a second integrity checksum for the second data record with a cryptographic method based on a storage key, the retrieved first integrity checksum and the second data record {See OWEN, C10:L8-27, wherein this reads over "[w]hen the minimized data journal entry is to be applied to the corresponding database record, a validation value for the record is first computed using the same algorithm used to compute the validation value stored in the journal entry"}; and

storing the second integrity checksum on the database {See OWEN, C10:L8-27, wherein this reads over "[t]his validation value is then stored as apart of the minimized data journal entry"}.

11. **As per independent claims 8, 15, 24, 31, 33, and 39**, OWEN discloses:

A method, comprising:

retrieving a second data record to be verified from a single database {See OWEN, C8:L6-24, wherein this reads over "the minimized data journal entry is read"};

retrieving a second integrity checksum of the second data record, wherein the first data record and the second data record are consecutive data records in the database {See OWEN, C8:L38-54, wherein this reads over "[a]nother type of suitable validation value is a cyclic redundancy check (CRC) that provides a unique value that indicates the state of the record before applying the change"; and C10:L8-27, wherein this reads over "[w]hen the minimized data journal entry is to be applied to the corresponding database record, a validation value for the record is first computed using the same algorithm used to compute the validation value stored in the journal entry"};

retrieving a first integrity checksum of the first data record previous to the retrieved second data record {See OWEN, C8:L38-54, wherein this reads over "the validation value comprises a

Art Unit: 2161

checksum that is computed using both the data in the old record and the metadata for the old record"; and C8:L55-C9:L10, wherein this reads over "[t]he validation value of the preferred embodiments is a value that relates to the state of the record that corresponds to the journal entry just before applying the changes reflected in the journal entry";

computing a third integrity checksum for the second data record based on the retrieved second data record, the first integrity checksum, and a storage key {See OWEN, C10:L8-27, wherein this reads over "[w]hen the minimized data journal entry is to be applied to the corresponding database record, a validation value for the record is first computed using the same algorithm used to compute the validation value stored in the journal entry"; and

comparing the second integrity checksum to the third integrity checksum, wherein the second data record is considered authentic when the second integrity checksum and the third integrity checksums are equal {See OWEN, C10:L8-27, wherein this reads over "[i]f the two validation values match, we know with a high level of confidence that the record is in the identical state it was in just before the changes reflected in the journal entry were made"}.

12. As per dependent claims 12, 28, 37, and 42, OWEN discloses:

The method according to claim 8, wherein the retrieving the first integrity checksum comprises retrieving the first integrity checksum from a memory of a verification entity {See OWEN, C8:L8-24, wherein this reads over "[t]he generated validation value is then compared against the validation value stored in the minimized data journal entry"}.

13. As per dependent claims 5, 13, 29, and 43 OWEN discloses:

The method according to claim 8, further comprising:

storing the second integrity checksum on a memory of a verification entity {See OWEN, C10:L8-27, wherein this reads over "[t]his validation value is then stored as apart of the minimized data journal entry"}.

14. Claims 2, 9, 16, 25, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over OWEN, in view of Brown et al (USPGPUB 2003/0023850, hereinafter referred to as BROWN), filed on 26 July 2001, and published on 30 January 2003.

15. As per dependent claims 2, 9, 25, 34, and 40, OWEN, in combination with BROWN, discloses:

The method according to claim 8, further comprising:

configuring the storage key to be a public key of public key infrastructure {See BROWN, Para. 0061, wherein this reads over "In particular, to verify the participants in a messaging session, logging controller 62 utilizes a public key for a user to attempt to decrypt the private key and checksum. If a private key matches a public key, then an identity for a user associated with the public and private keys may be verified. Further, logging controller 62 utilizes the public key to decrypt a checksum for the recorded messaging session and then computes a current checksum for the messaging session. If the checksums match, then the integrity of the messaging session may be verified. In addition, methods other than calculating a checksum may be utilized to verify the integrity of the messaging session"}.

Art Unit: 2161

The combination of inventions disclosed in OWEN and BROWN would disclose a method wherein the storage key is a public key used for verification purposes in a public key infrastructure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above invention suggested by OWEN by combining it with the invention disclosed by BROWN.

One of ordinary skill in the art would have been motivated to do this modification so that the integrity of the signing entity may be verified.

16. **As per dependent claims 16 and 32**, OWEN, in combination with BROWN, discloses:

The system according to claim 15, wherein the signing entity and verification entity apply public key infrastructure {See BROWN, Para. 0061, wherein this reads over "In particular, to verify the participants in a messaging session, logging controller 62 utilizes a public key for a user to attempt to decrypt the private key and checksum. If a private key matches a public key, then an identity for a user associated with the public and private keys may be verified. Further, logging controller 62 utilizes the public key to decrypt a checksum for the recorded messaging session and then computes a current checksum for the messaging session. If the checksums match, then the integrity of the messaging session may be verified. In addition, methods other than calculating a checksum may be utilized to verify the integrity of the messaging session"} for calculating and verifying the one of the first integrity checksum and the second integrity checksum .

The combination of inventions disclosed in OWEN and BROWN would disclose a method wherein the storage key is a public key used for verification purposes in a public key infrastructure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above invention suggested by OWEN by combining it with the invention disclosed by BROWN.

One of ordinary skill in the art would have been motivated to do this modification so that the integrity of the signing entity may be verified.

17. **Claims 3, 10, 26, 35, and 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over OWEN, in view of Pond et al (U.S. Patent No. 4,864,616, hereinafter referred to as POND), filed on 15 October 1987, and issued on 5 September 5, 1989.

18. **As per dependent claims 3, 10, 26, 35, and 41** OWEN, in combination with POND, discloses:

The method according to claim 8, further comprising:

configuring the retrieved integrity checksum for a first row of the database to be a generated initialization vector {See POND, C3:L53-62, wherein this reads over "[t]he initialization vector contains bits for indicating the starting byte in each of the key streams used for encryption and decryption. The Checksum is derived by summing the . . . the Initialization Vector and issued to confirm the integrity of the label"}.

Art Unit: 2161

The combination of inventions disclosed in OWEN and POND would disclose a method wherein the integrity checksum for a first row of a database is a generated initialization vector. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above invention suggested by OWEN by combining it with the invention disclosed by BROWN.

One of ordinary skill in the art would have been motivated to do this modification so that where there is no previous integrity checksum available, the initialization vector may be used to in the computation of a second integrity checksum.

19. **Claims 4, 11, and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over OWEN, in view of Applicant's Admitted Prior Art (hereinafter referred to as AAPA).

20. **As per dependent claims 4, 11, and 27**, OWEN, in combination with AAPA, discloses:

The method according to claim 8, further comprising:

configuring the retrieved integrity checksum for a first row of the database to be a digital signatory of the signing authority.

21. **Claims 7, 14, 30, 38, and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over OWEN, in view of Cain (U.S. Patent No. 6,557,044, hereinafter referred to as CAIN), filed on 1 June 1999, and issued on 29 April 2003.

22. **As per dependent claims 7, 14, 30, 38, and 44**, OWEN, in combination with CAIN discloses:

The method according to claim 8, further comprising:

configuring the integrity checksums to comprise a running sequence number {See CAIN, c2:l64-67, wherein this reads over "incremental checksumming may be utilized. Initially, the checksum for all routes in a set is computed by determining the checksum for all sequence numbers"}.

Response to Arguments

23. Applicant's arguments filed 12 March 2008 have been fully considered but they are not persuasive.

a. Claim Rejections under 35 U.S.C. 103

Applicant asserts the argument that Owen fails to teach the step of "retrieving a second data record to be verified from the single database." See Amendment, page 20. Specifically, Applicant asserts that the reading of a minimized data journal entry, as taught by Owen, is not the same "because the second data record (as claimed) is a complete data record and not a minimized journal entry." The Examiner respectfully disagrees. It is noted that under the broadest reasonable interpretation of a minimized journal entry, one of ordinary skill in the art may read said journal entry as a data record.

Secondly, Applicant asserts the argument that Owen fails to teach the step of "retrieving a second integrity checksum." See Amendment, page 21. Specifically, Applicant asserts that a cyclic redundancy check is not the same as the term, integrity checksum, within the broadest reasonable interpretation of said term. The Examiner respectfully disagrees. Wherein a cyclic redundancy check (or CRC) is commonly used as a checksum to detect alteration of data during transmission or storage, one of ordinary skill in the art may have readily read said CRC upon the claimed feature of an integrity checksum.

Thirdly, Applicant asserts the argument that the CRC fails to read upon the method step of "retrieving a first integrity checksum" because the claim language of the present invention does not recite the need for a computation, while a CRC value as disclosed by Owen would necessitate a computation. See Amendment, page 21. The Examiner respectfully disagrees in that wherein the recited claim language only requires the retrieval of an integrity checksum, it would be irrelevant as to whether the cited prior art computed said integrity checksum before its retrieval. Additionally, it is noted that it would be inherent and necessary to the claimed invention that the checksum, at some point, be calculated since checksums are a type of function which take a data stream input and converts said data stream input into an output value such as a 32-bit integer.

Fourthly, Applicant asserts the argument that that the computation is not anticipated by Owen because "the second integrity checksum would then have to be computed based on the old

record (first integrity checksum) and the current record (second data record)." See Amendment, page 22. The Examiner disagrees in that wherein the same algorithm is used, and wherein said algorithm may include the use of a prior checksum in the computation of a subsequent checksum, the disclosed invention by Owen would indeed read upon the claimed invention.

Lastly, Applicant asserts the argument that Owen differs from the claimed invention in that there is 'no mechanism recited for making changes.'" See Amendment, page 22. The Examiner respectfully disagrees in that Applicant's argument is moot as it is directed to a feature which has not been claimed. It is noted that Owen fully discloses the comparison of checksums further discloses that said comparison is made with the intent of checking that the record was in an identical state (i.e. verify that changes had not been made). Accordingly, the disclosed invention in Owen would indeed be inline with the embodiments of technology disclosed in the present claims.

Accordingly, the rejections under 35 U.S.C. 103 are sustained.

Conclusion

24. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2161

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL KIM whose telephone number is (571)272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Kim
Examiner, Art Unit 2161
TECH Center 2100

/pk/

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161